

HOUSE No. 1126

By Mr. Koutoujian of Waltham, petition of Peter J. Koutoujian and others relative to creating a commission to regulate commercialism in the public schools. Education.

The Commonwealth of Massachusetts

PETITION OF:

Peter J. Koutoujian	Carl M. Sciortino, Jr.
Frank I. Smizik	Mary E. Grant
Jennifer L. Flanagan	Barbara A. L'Italien
Kathleen M. Teahan	Mark R. Pacheco
Michael F. Rush	

In the Year Two Thousand and Five.

AN ACT RELATIVE TO CREATING A COMMISSION TO REGULATE COMMERCIALISM IN THE PUBLIC SCHOOLS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 15 of the General Laws, as appearing in the 2002 Offi-
2 cial Edition, is hereby amended by inserting the following new
3 section:

4 Section 1H. There shall be established within the board of edu-
5 cation, but not under its jurisdiction, a special unpaid commission
6 to be known as the commission to regulate commercialism in the
7 public schools, consisting of the commissioner of education and a
8 representative of each of the following groups: the Massachusetts
9 Association of School Superintendents, the Massachusetts Associ-
10 ation of School Committees, the Massachusetts Federation of
11 Teachers, the Massachusetts Teachers Association, the Massachu-
12 setts Elementary School Principals, the Massachusetts Secondary
13 School Administrators Association, the Massachusetts Parent
14 Teacher Association, the Massachusetts Municipal Association,
15 the Massachusetts Academy of Pediatrics, the Massachusetts
16 Public Health Association, the Campaign for a Commercial-Free

17 Childhood and Citizens for Public Schools; and, two state repre-
18 sentatives appointed by the speaker of the house and two state
19 senators appointed by the senate president.

20 The commission shall develop guidelines and standards for the
21 use of commercial ventures in the public schools, including stan-
22 dards for advertising and marketing in the public schools, as well
23 as for the privatization of the duties, responsibilities or services
24 provided by the public schools, and including guidelines and stan-
25 dards to address issues related to corporate-sponsored curricula,
26 field trips or assemblies, naming rights and product placement in
27 textbooks or other materials, including, but not limited to, the
28 selling or marketing of unhealthy foods or drinks in the public
29 schools. The term “commercial ventures” shall include, but not
30 be limited to, entering into agreements to broadcast in school
31 buildings film, video or television which include advertising, and
32 entering into agreements to sell, advertise or market certain prod-
33 ucts within the public schools, including on school buses or at
34 school related events,

35 The commission shall be provided with suitable offices and
36 may, subject to appropriation, incur expenses for research and
37 consultation and to appoint an executive director who shall be the
38 executive and administrative head thereof and who shall not be
39 subject to the provisions of chapter thirty-one. The commission
40 may empower the executive director to appoint such employees as
41 may be necessary to administer the provisions of this section.
42 There shall be paid by the commonwealth to each appointive
43 member of said commission the necessary expenses actually
44 incurred in the discharge of her or her official duties. The com-
45 mission shall adopt such reasonable rules and regulations as may
46 be necessary for the administration of this section and shall made
47 an annual report to the governor and the general court regarding
48 the nature and extent of commercial ventures in the public
49 schools, with recommendations, if any, of legislative action to fur-
50 ther regulate or prohibit certain commercial ventures or privatiza-
51 tion practices in the public schools.